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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/750,382	12/21/2000	Qinggang Zhou	1552-6-10	8107
996	7590	01/12/2006	EXAMINER	
GRAYBEAL, JACKSON, HALEY LLP			NATNAEL, PAULO S M	
155 - 108TH AVENUE NE			ART UNIT	
SUITE 350			PAPER NUMBER	
BELLEVUE, WA 98004-5901			2614	

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/750,382

Applicant(s)

ZHOU ET AL.

Examiner

Paulos M. Natnael

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-70 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 15-33, 39-44 and 54-65 is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-11, 14, 34, 45, 48, 50, 51, 66 and 70 is/are rejected.
- 7) ☒ Claim(s) 8, 12, 13, 35-38, 46, 47, 49, 52, 53 and 67-69 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-7, 9-11, 14, 34, 45,48,50-51, 66, 70** are again rejected under 35 U.S.C. 103(a) as being unpatentable over **Shono** (U.S. 5,436,736).

Considering claim **1**, Shono discloses all claimed subject matter, note;

a) the claimed a pixel circuit operable to compare a pixel value to a threshold value, is met by Comparator **23**, Fig.4;

b) modify the pixel value, is met by adder **22**, fig.4;

Regarding the claimed "only if the pixel value has a predetermined relationship to the threshold value", the Adder **22**, fig.4, adds fH to the binarized signal (BL). Although Shono does not specifically recite the conditional operation "only if the pixel value has a predetermined relationship to the threshold value", it is clearly implied by Shono, and thus does not require to spell out any specific condition, because since the comparator's operation is not a simple addition or summation of the two values; (rather it is a result of a comparison which uses the generated random number as a threshold), it has or would have some sort of a relationship to the pixel value, and because the pixel value obviously has some relationship to the threshold value by virtue of being compared to

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the lower order pixel which is also generated from the operator 25, fig.4. It would have been therefore obvious to the skilled in the art at the time the invention was made to modify the system of Shono by providing such a conditional operation in case the pixel value has not such relationship to the threshold value specified, so that the system of Shono is made more adaptable, flexible and versatile. (see also col. 5, lines 55-65, col. 7, lines 42-44, and col. 8, lines 13-29)

Considering claim 2, the image processing circuit of claim 1 wherein the pixel value comprises a luminance pixel value, is inherent because in each pixel the luminance and color difference components would be represented.

Considering claim 3, the image processing circuit of claim 1 wherein the pixel value comprises a chrominance pixel value.

See rejection of claim 2.

Considering claim 4, the image processing circuit of claim 1 wherein the threshold value is within a range of approximately 50 - 80.

Regarding claim 4, Shono does not specifically disclose the threshold value to be within a range of approximately 50-80. However, it would have been obvious matter of design choice to modify the Shono reference by having the desired range of threshold

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values, since applicant has not disclosed having such a particular range solves any stated problem.

Considering claim 5, the image processing circuit of claim 1 wherein the compensation value comprises a randomly generated value, is met by the numbers or values generated by the random number generator 24, fig.4;

Considering claim 6, the image processing circuit of claim 10 wherein the compensation value comprises a randomly generated value within a range of -3 - 3.

Shono does not specifically disclose the a randomly generated value within a range of -3 - 3. However, it would have been obvious matter of design choice to modify the Shono reference by having the desired range of randomly generated values, since, again, applicant has not disclosed having such a range solves any stated problem.

Considering claim 7, the image processing circuit of claim 1 wherein the pixel circuit is further operable to: determine whether the sum of the pixel and compensation values is within a predetermined range of pixel values; and set the pixel value equal to a value within the range if the sum is outside of the range.

See rejection of claim 4;

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Considering claim **9**, the image processing circuit of claim 1 wherein the pixel circuit comprises a processor, is **implied** in such circuits because without a processor or a controller the circuit may not work properly.

Considering claim **10**, the image processing circuit of claim 1 wherein the pixel circuit is operable to modify the pixel value by adding a compensation value to the pixel value, is met by the adder which adds the binarized BL signal to the pixel signal fH, fig.4;

Considering claim **11**, an image processing circuit, comprising

- a) a pixel circuit operable to generate a random number, is met by Random Number Generator 24, Figs.4 and 6;
- b) combine the random number with a pixel value;

Regarding b), Shono discloses that the Operator 26', Fig. 6, "modifies the value of the random number in accordance with the higher-order bit data fH. (col. 7, lines 20-30) Shono does not disclose whether the operation is combinational or otherwise. However, it would be obvious to the skilled in the art that the operator 26' could also mean adder or summer or combiner. Therefore it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Shono by providing a combinational operation in order to modifier the value of the random number in accordance with the bit data for a desired output.

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Considering claim **14**, the claimed image processing circuit of claim 11 wherein the pixel circuit is operable to add the random number to the pixel value, is met by adder 22, Fig. 1;

Considering claim **34**, the image processing circuit, wherein the pixel circuit is operable to: generate a first random number, add the first random number to a first pixel value, generate a second random number, and add the second random number to a second pixel value;

See rejection of claim 11.

(Note: the random number generator 24 (figs. 4 and 6) continually generates random numbers as needed and the adder 22 also continually adds the pixel number with the output value of the comparator).

Claim **45**, is a method claim of claim 1 and thus, claim 45 is rejected for the same reasons as claim 1;

Considering claim **48**, the method of claim 50, further comprising: determining whether the sum of the pixel and compensation values is within a predetermined range of pixel values; and setting the pixel value equal to a value within the range if the sum is outside of the range.

See rejection of claims 4 and 7;

Considering claim **50**, the method of claim 45 wherein the modifying comprises adding a compensation value to the pixel value, is met by Adder 22, fig.4;

Considering claim **51**, see rejection of claim **11**;

Considering claim **66**, see also rejection of claims 11 and 34.

Considering claim **70**, the method of claim 66 wherein: the first pixel value corresponds to a starting pixel location in a first video frame; the second pixel value corresponds to the pixel location in a second video frame; and the generating the second random number comprises generating the second random number unequal to the first random number, is implied because if the second random number is equal to the first random number, then the system is repeating the same operation it performed earlier and that would be an unacceptable, (i.e. inefficient and/or wasteful, etc.) way of processing data.

Response to Arguments

3. Applicant's arguments filed 10/24/05 have been fully considered but they are not persuasive.

Applicant argues that Shono unconditionally adds the entirety of the lower-order data to higher-order bit data. Similarly, Shono unconditionally adds the entirety of the higher-order bit data to the lower-order data: There is simply no teaching or suggestion in

Shono that modification of the lower-order (or higher-order) data is contingent on any relationship or other condition, such as only if the pixel value has a predetermined relationship to the threshold value.

Further the applicant argues that “pixel values compared to the random number are also modified (into either a 1 or 0) irrespective of a predetermined relationship. In other words, the random/threshold value of Shono is used to determine how, not whether, to modify the pixel values input to the comparator 23.

3) In regards to claim 11, applicant argues simply saying the operator 26’ could obviously be an adder, with otherwise providing specific evidence that the teachings of Shono provide a motivation to utilize the operator as an adder, is insufficient to establish that the claimed limitations are prima facie obvious.

Examiner’s Response

1) The examiner submits that Shono does not add unconditionally. If the lower order is not binarized the adder would not add it, for example. To those with ordinary skill in the art, this can be interpreted as a condition.

2) Examiner notes, as submitted before numerous times, the Shono teaching in this regard can be reasonably broadly interpreted and the random value of Shono is indeed used to determine, not only how, but also whether to modify the pixel values. Because, if, for example, the random # generated (i.e. the threshold value) is not a proper # (i.e., not the desired range, etc.) according to the desired range of values, the operation of Shono’s circuit would not proceed. Hence, given a reasonably broad interpretation, such decision/condition is implied.

3) The operator 25 (Fig.4) is a divider. It would be obvious to the skilled in the art that the operator 26' could be a subtractor, an adder or a multiplier. However, Shono discloses on col. 7 lines 20-24 that the higher order bit data are "put into an operator 26' with a random #..." Thus, the skilled in the art is more likely to conclude (from the passage quoted above of the teaching of Shono) that the operator is an adder rather than a subtractor or a multiplier. That is to say (putting a value into an operator with a another value or #) to the skilled in the art indicates a simple combination or adding operation, rather than a more complicated operation. Therefore, examiner's interpretation is believed to be reasonable and the arguments in this regard are unpersuasive.

Allowable Subject Matter

4. Claims **15-33 and 39-44**, and **54-65** remain allowable over the prior art.
5. Claims **8,12-13, 35-38,46,47,49 52-53, 67-69** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
6. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose image processing circuit, wherein the pixel circuit is operable to: a pixel circuit operable to compare a first pixel value to a first threshold value, the first pixel value corresponding to a pixel location in a first video frame, add a first compensation value to the first pixel value if the first pixel value is less than the first

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threshold value, compare a second pixel value to a second threshold value, the second pixel value corresponding to the pixel location in a second video frame, add a second compensation value to the second pixel value if the second pixel value is less than the second threshold value, as in claims **15** and **54**; a pixel circuit operable to generate a first random number using a first seed number, compare a first pixel values to a first threshold value, add the first random number to the first pixel value if the first pixel value is less than the first threshold value, generate a second random number using a second seed number, compare a second pixel value to a second threshold value, and add the second random number to the second pixel value if the second pixel value is less than the second threshold value, as in claims **24** and **58**; truncate the first random number before adding the first random number to the first pixel value; truncate the second random number before adding the second random number to the second pixel value; set the second seed number equal to the untruncated first random number, as in claim **28**; wherein generating the first and second random numbers comprises generating the first and second random numbers according to the following equation: $\text{random number} = (1664525 \times \text{seed number} + 1013904223) \bmod 2^{32}$, as in claims **29** and **62**; a pixel circuit operable to, generate a first random number using a first seed number, compare a first pixel value to a first threshold value, the first pixel value corresponding to a starting pixel location in a first video frame, add the first random number to the first pixel value if the first pixel value is less than the first threshold value, generate a second random number using a second seed number, compare a second pixel value to a second threshold value, the second pixel value corresponding to a starting pixel location in a second

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video frame, add the second random number to the second pixel value if the second pixel value is less than the second threshold value, as in claim **31**; a comparator having a pixel-value input terminal and first and second pixel-value output terminals; a random-number generator having a seed input terminal and a random-number output terminal; a combiner having a first input terminal coupled to the first pixel-value output terminal, a second input terminal coupled to the random-number output terminal, and a combiner output terminal; and an image buffer having a first input terminal coupled to the second pixel-value output terminal and having a second input terminal coupled to the combiner output terminal, as in claim **39**; and, generating a first random number using a first seed number; comparing a first pixel value to a first threshold value, the first pixel value corresponding to a starting pixel location in a first video frame; adding the first random number to the first pixel value if the first pixel value is less than the first threshold value; generating a second random number using a second seed number; comparing a second pixel value to a second threshold value, the second pixel value corresponding to a starting pixel location in a second video frame; adding the second random number to the second pixel value if the second pixel value is less than the second threshold value, as in claim **63**.

Conclusion

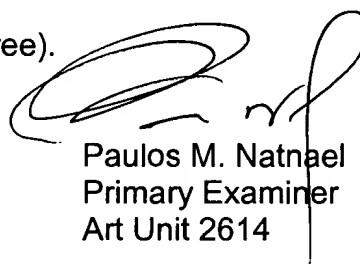
7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (571) 272-7354. The examiner can normally be reached on 10:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (571)272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paulos M. Natnael
Primary Examiner
Art Unit 2614



PMN
January 7, 2006